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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,075	03/30/2004	Yeong Mou Su	4358DL	8894

7590 04/11/2005

CHARLES E. BAXLEY, ESQ.
90 JOHN STREET
3 rd FLOOR
NEW YORK, NY 10038

EXAMINER

NGUYEN, GEORGE BINH MINH

ART UNIT	PAPER NUMBER
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3723

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/816,075

Applicant(s)

SU, YEONG MOU

Examiner

George Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
4a) Of the above claim(s) 8 and 10-14 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-7 and 9 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 03 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 030304.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Receipt is acknowledged of Applicant's election, filed on March 03, 2005, of Species II of Figure 4-6, claims 1-7 and 9.

Claims 8 and 10-14 were withdrawn from further consideration.

Claims 1-7 and 9 are presented for examination.

This application has been filed with formal drawings which are acceptable to the examiner.

Receipt is acknowledged of the IDS filed on March 30, 2004 which has been considered and placed of record in the file.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

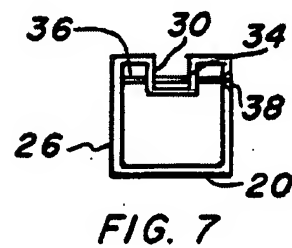
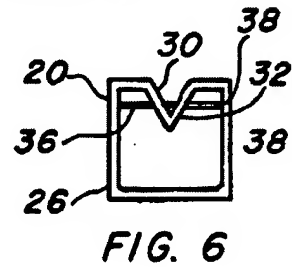
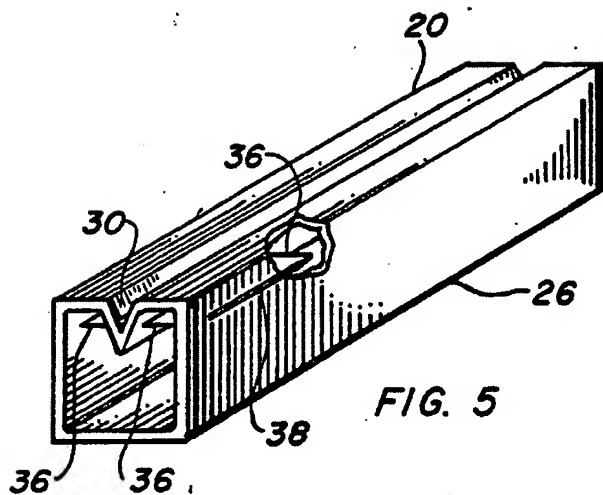
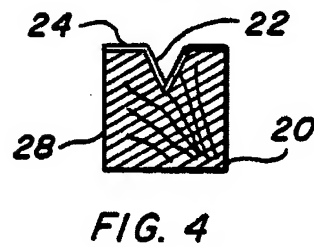
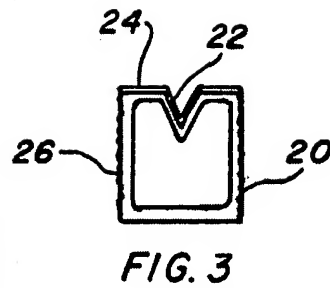
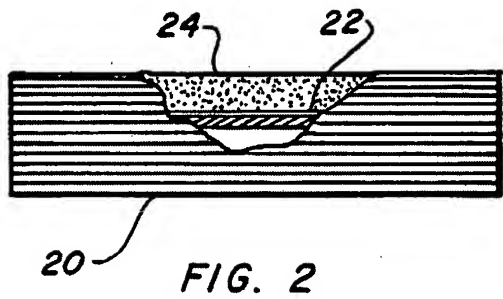
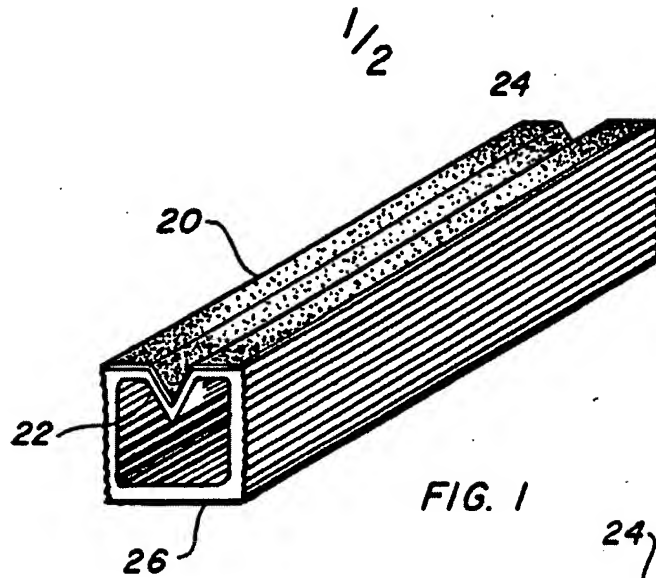
2. Claims 1, 2, 3, are rejected under 35 U.S.C. 102(b) as being anticipated by WO/87/00108.

With reference to Figures 1-5, WO/87/00108 discloses the claimed invention including:

a) sharpener device comprising a block 20; b) a V-groove 22 having abrasive coated surface 24 therein; and c) a passage 36 formed in said abrasive coated surface of said block.

WO 87/00108

PCT/US85/01285



Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO/87/00108 in view of Duncan et al.'5,123,764.

WO/87/00108 has been discussed above, but does not disclose at least one orifice formed in said block and communicating with said groove to allow cleaning fluid to be delivered to the abrading surface during the abrading process.

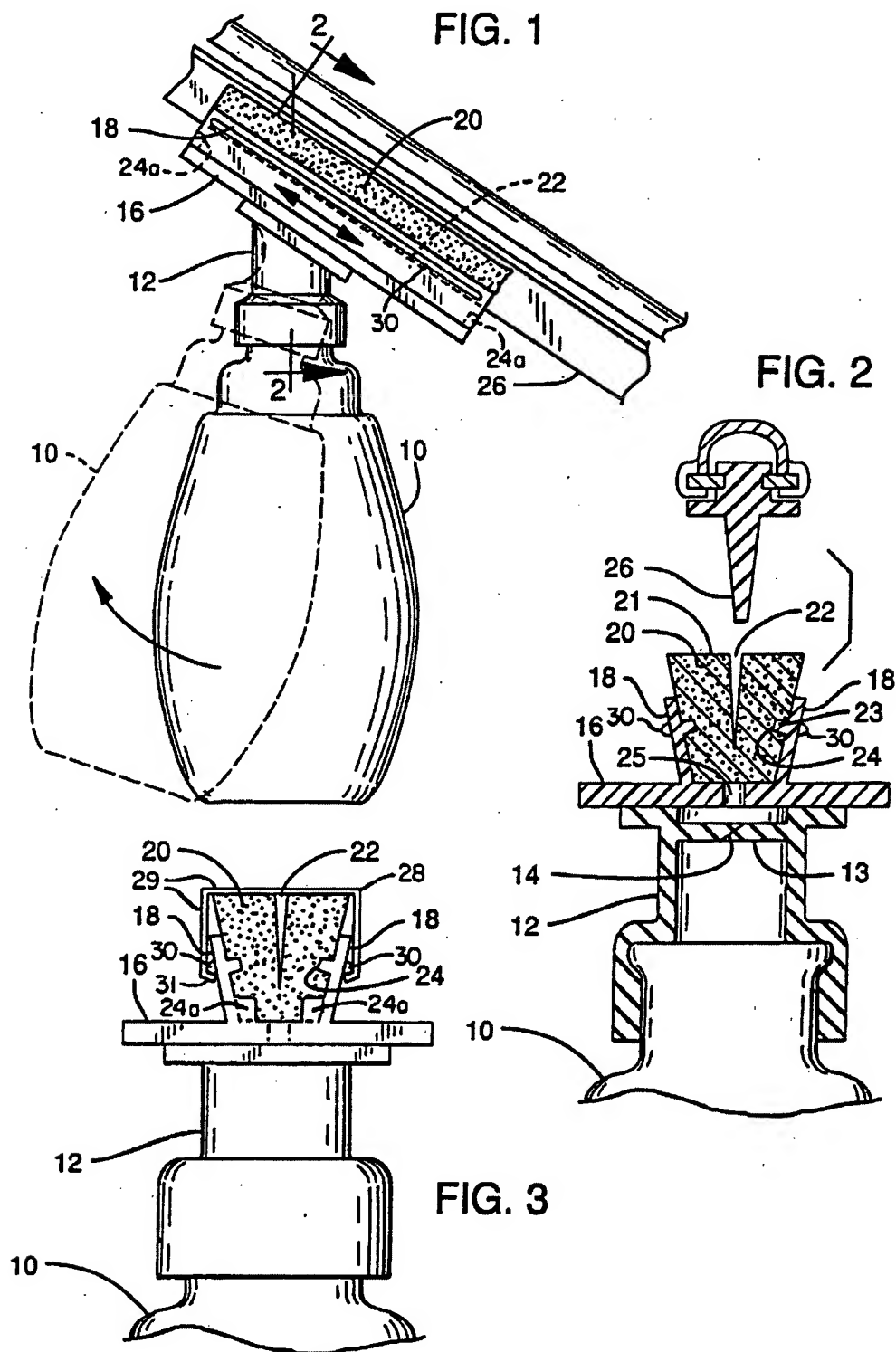
With reference to Figure 2, Duncan discloses a utility cleaning tool for windshield wiper blades comprising an orifice 14 formed in block 12 and in communicating with groove 22 to deliver cleaning fluid from chamber 13 to the cleaning surface 20. Furthermore, Duncan teaches a cover 29 to seal groove 22 when the cleaning tool is not in use to protect the cleaning element 20.

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the WO'108 sharpener with fluid deliver means as taught by Duncan'764 in order to allow clearing fluid to be delivered to the abrading surface during the abrading process to remove the debris created by the abrading process.

U.S. Patent

June 23, 1992

5,123,764



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WO'108 discloses the claimed invention except for the silicone carbide material set forth in the claim. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the material set forth in the claim, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as matter of obvious choice.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prunchak'3,708,924, Weiler'4,617,765, Dubroy'5,853,257 all disclose wiper blade sharpening devices. Owens'5,445,050 disclose hand-held ice skate blade sharpener tool.

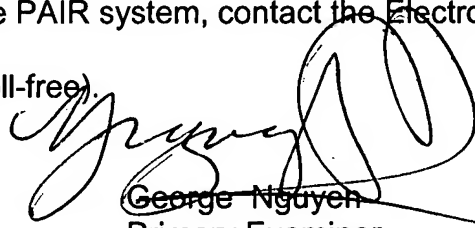
Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Nguyen whose telephone number is 571-272-4491. The examiner can normally be reached on Monday-Friday/630AM-300PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

George Nguyen
Primary Examiner



George Nguyen
Primary Examiner
Art Unit 3723

GN – April 07, 2005